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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-ninth session

SUMMARY RECORD OF THE 1469th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 1 August 2001, at 10 a.m.

Chairman: Mr. SHERIFIS

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The meeting was called to order at 10 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 5) (continued) (CERD/C/357/Add.4, Parts I-III and HRI/CORE/1/Add.21/Rev.1)

Eighth and ninth periodic reports of China (continued) (CERD/C/357/Add.4, Parts I-III and HRI/CORE/1/Add.21/Rev.1)

1. At the invitation of the Chairman, the members of the delegation of China resumed their places at the Committee table.

2. Mr. QIAO Zonghuai (People's Republic of China), replying to questions put by Committee members at the preceding meeting and referring first to discrepancies between information provided by his Government and that provided by non-governmental organizations (NGOs), discounted the credibility of the latter and stressed that the information provided by his Government had been verified and was based on statistics and information provided by ethnic minorities. He invited the Committee to visit China to assess the situation itself. He would inform his Government of the Committee's concerns about its reservation to article 22 of the Convention but pointed out that the reservation reflected his Government's practice with respect to provisions on settlement of disputes. He observed that the declaration under article 14 was optional, but he would likewise report the Committee's suggestion to his Government, as he would its recommendation concerning the amendment to article 8, paragraph 6, to which his Government would give positive consideration, given the effect it would have on the work of the Committee.

3. With regard to the repatriation of North Koreans, large numbers of illegal economic immigrants had entered China, largely as a result of food shortages in North Korea and could not be considered refugees; their repatriation was therefore in compliance with international practice. His Government took illegal migration very seriously and had adopted an integrated approach which involved careful verification of the identity of migrants before repatriation. A series of procedures and mechanisms had been put in place. China accepted unconditionally any Chinese citizen whose identity had been verified. His Government had recently applied for observer status at the International Organization for Migration (IOM).

4. International conventions were directly applicable without requiring any domestic enabling legislation and, in cases of any conflict between an international convention and Chinese law, the former would prevail unless China had made a reservation to a specific provision. His Government attached great importance to increasing awareness of the Convention and the text of the Convention had been included in some textbooks and was also available in numerous publications. The Committee's concluding observations would be posted on the Internet in order to facilitate public access. His Government was currently studying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and International Labour Organization (ILO) Convention No. 97 concerning migrant workers, in relation to Chinese law and practice and was entering into bilateral agreements in that area with the countries most concerned.

5. Freedom of religion was protected. His Government supported the construction or repair of places of worship. Promotion of atheism at religious sites was prohibited and the religious customs of ethnic minorities were protected, including in prisons. Members of the Communist Party were atheists but that did not prevent them from attending ceremonies such as marriages which might have religious aspects. Muslims, who often belonged to ethnic minorities, tended to be concentrated in specific regions and communities although there were many elsewhere throughout the country. Unlike Muslims, Protestants and Catholics were not concentrated in any specific regions and could be found throughout China.

6. Freedom of movement was guaranteed and the population, in particular the rural population, was in fact increasingly mobile as a result of continuing economic development. That was true of all ethnic groups and those mobile populations enjoyed the same rights as other citizens, including the same right of access to State facilities. The household registration system was not an impediment to mobility and it was quite common for citizens to work in a place which was not their official domicile. The household registration system would nevertheless be reformed to take into account the changing situation.

7. With regard to the implementation of international instruments in the Hong Kong Special Administrative Region, he said that, although overall responsibility remained with the central Government, in accordance with the Basic Law it was up to the Hong Kong Government to adopt measures for the practical application of the provisions of international instruments. If it failed to act, however, it would be incumbent upon the central Government to take steps to ensure compliance.

8. Mr. HAN Liangang (People's Republic of China) explained that the State Ethnic Affairs Commission (SEAC) was a government department responsible for developing policies, laws and regulations to protect the rights and interests of ethnic minorities and to monitor effective observance of those rights by all levels of government. For example, ethnic minorities had to be represented in the public administrations at all levels. The Commission was also responsible for processing complaints or recommendations made by ethnic minorities. Its head was a member of the State Council, nominated by the Premier and appointed by the Standing Committee of the National People's Congress and was normally a representative of an ethnic minority. In majority ethnic areas, the local language was the most commonly used language but all minorities were encouraged to learn Chinese, which had a positive effect on their continued development. Racial discrimination was forbidden and textbooks stressed the role that all nationalities had played in creating the country as well as the need to continue to live and develop together. He acknowledged that ethnic minorities tended to be concentrated in poor areas of the country. The reasons were largely historical, as the regions they traditionally inhabited were often plateau or mountain areas with harsh living conditions where the population lived from animal husbandry, hunting and fishing. Economic development there had been relatively slow, with little industrialization, and as a result those regions were still economically disadvantaged. He pointed out that all village committees, which were responsible for local government and directly elected, were required by law to include representatives from any ethnic groups present in the community.

9. It had never been government policy to promote migration of Han Chinese to ethnic regions in order to change the ethnic composition of those regions, for example, the Han Chinese population of the Xinjiang autonomous region had only increased from 37.5 per cent to 38.7 per cent between 1996 and 1999, largely as a result of natural population growth. On the contrary, the Government guaranteed the rights of minorities in the autonomous regions, protected their interests and had even adopted measures such as preferential treatment for members of ethnic minorities, including in areas outside their home regions where they were truly minorities. Regarding certain terms in the English translation of the report, the word translated as "healthy" (para. 78) referred to the beneficial or meaningful development of minorities. The Chinese word for development implied cultural development and greater well-being as well as economic development, as part of a continuous process. Ethnic literature and art was encouraged (para. 81).

10. With regard to claims that some ethnic minorities had not been officially recognized, he pointed out that before 1949 there had been no clear understanding of how many ethnic minorities there were in China and, accordingly, the current regime had identified and recognized 56 ethnic groups; the ethnic status of some other persons of complex origin had not been clearly established.

11. Family planning was a fundamental policy of his Government but, given the relatively small size of the minority populations, that policy was less strict for minorities. It was up to local governments to determine family planning policy in consultation with the central Government, and in the Xinjiang region, couples were allowed two to three children and three to four children in rural areas while Tibetans were encouraged to have fewer, healthier children but there was no limit. Han Chinese, even those living in ethnic minority areas, were limited to one child per couple.

12. The autonomous regions were essentially regions that were dominated by ethnic minorities exercising the right to regional autonomy and self-government under unified State leadership. The regional Governments represented their various ethnic groups, could enact legislation and implement resolutions, decisions and instructions from the central Government and had increased powers for planning in the economic, cultural, educational and health spheres.

13. The Government had made great efforts to ensure the cultural development of ethnic minorities by promoting the use of ethnic languages in the school system and in publications, preserving cultural heritage, promoting traditional medicine and supporting authors and artists. There were no quotas or limits on ethnic minority students - on the contrary, they enjoyed preferential treatment and could for example be admitted to schools even if they did not meet the theoretical minimum standards. They also received preferential treatment, as first among equals, in recruitment for industry, business and the public service. There was no conflict between the right to development of ethnic minorities and preservation of their cultures because ethnic minorities were encouraged to use their own cultural resources in developing their economy while at the same time they were given every opportunity to preserve their traditional culture. He referred the Committee to paragraphs 38 to 42 of the report for examples of the high levels of

support provided to minority groups and pointed out that between 1995 and 1999 the number of people living in poverty in minority areas had dropped by 4 million. He also stressed that, under the Penal Code, any government official guilty of discrimination against a member of an ethnic minority could, in serious cases, be sentenced to up to two years' imprisonment.

14. Mr. GAO Youdong (People's Republic of China) stressed, with regard to the situation in Tibet, that his Government had made great strides in improving the health-care system, with free medical care available in rural areas and partially subsidized care in urban areas; the number of health-care institutions, hospital beds and medical workers in Tibet was higher than the national average. Freedom of religion was also guaranteed in Tibet; there were more than 1,000 temples and monasteries and 46,000 monks and nuns. Although he acknowledged that Tibetans, including monks, received a patriotic education, which was the duty of all Chinese citizens, his Government was not attempting to impose atheism. Before the peaceful liberation in 1951 there had been no schools as such, whereas there was currently a complete education system with 80 per cent of school-age children attending school; two thirds of teachers were Tibetans. Every town had a primary school and the illiteracy rate was currently 40 per cent as compared to 90 per cent before 1951.

15. The Government had no plan whatsoever to encourage large-scale non-ethnic-Tibetan migration into Tibet. The 2000 census had recorded a total population in Tibet of just over 2,600,000, up from 1 million under the Dalai Lama's 1953 census. Of those, about 92.5 per cent were ethnic Tibetans, 5.5 per cent Han Chinese and 2 per cent other ethnic minorities. Most Han Chinese were skilled technical specialists who returned home after their projects were completed. There was also a very small transient population of self-employed businessmen from neighbouring provinces who had been coming into Tibet since it had been opened up but did not intend to become permanent residents. The alleged migration of over 7.6 million Han Chinese into Tibet, reducing the ethnic Tibetans to a minority, was simply not the case.

16. Ethnic Tibetans benefited from central Government aid projects to promote Tibet's economy and living standards in all sectors of society. To cite one example, the per capita net income of ethnic Tibetan farmers and herdsmen had risen to the equivalent of about 160 dollars in 2000 from about 24 dollars in 1978 and urban workers now earned about 780 dollars. The Tibetan infrastructure in education, culture, health, publishing, sports and broadcasting had developed significantly. The delegation could provide the Committee with further detailed information if it wished.

17. Mr. WONG (People's Republic of China), referring to the Hong Kong Special Administrative Region, said that Hong Kong did have legislation against racial discrimination in the public sector. In implementation of article 39 of the Basic Law, articles 2.1 and 26 of the Convention had been incorporated into domestic law through the Hong Kong Bill of Rights Ordinance, although those provisions did not, of course, cover acts between private citizens. A consultation was being conducted to determine if problems were beginning to develop in that area. His Government believed that there were adequate provisions in domestic law against racially motivated violence or incitement to it by individuals or organizations. It was committed

to equal opportunity for all and condemned all forms of discrimination, including racial discrimination. Appropriate strategies had to be devised in each case: in the case of discrimination on the grounds of sex, disability or family rights, the Government had taken the legislative approach; in the case of discrimination on the grounds of race and sexual orientation, it had opted for a combination of administrative measures and public education, although it was aware of the arguments for legislating in those fields as well. However, the response to its 1997 study and public consultation had shown that anti-discrimination laws would be unpopular. Any legislation with far-reaching social implications needed strong public support if it was to be effective, and hasty legislation would be counterproductive. In the meantime, the Government was weighing the views of the different sectors of the community and the advantages and disadvantages of changing the status quo and was carefully studying each manifestation of racial discrimination in the Region. Its duty was to consider, before introducing new legislation, whether it was warranted and fair, enforceable and likely to be adopted in the Legislature.

18. Article 22 of the Hong Kong Bill of Rights Ordinance was similar to article 25 of the Basic Law of the Macau Special Administrative Region. The two Basic Laws had simply been drafted at different times and in different circumstances.

19. Since the resumption of Chinese sovereignty over Hong Kong, the socialist system had not been practised in the Region and the previous capitalist system and way of life had remained unchanged. The Basic Law set out the framework of the relationship between the central authorities and those of Hong Kong, the fundamental rights and duties of Hong Kong residents, the general political structure and the economic, financial and social systems of the Region. It provided for a high degree of autonomy except in defence and foreign affairs and for an independent executive, legislature and judiciary. The central Government did not interfere with the legislative autonomy of Hong Kong.

20. Mr. DEAN (People's Republic of China), referring to Hong Kong, said that the Hong Kong Government was aware of its obligations under the Convention and its representatives would be attending the Third World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance as a sign of its commitment to the principles and ideals of the Convention. Since laws against racial discrimination would impinge so strongly on people's lives, the Government hesitated to criminalize actions that stemmed from ingrained patterns of behaviour that needed to be changed.

21. Foreign domestic helpers had been allowed to drive cars in the course of their work as an attempt to strike a balance between the interests of the labour lobby and those of employers, as explained in the report (part II, para. 134 (b) and fn. 30).

22. The Government had made considerable progress in realizing its commitments to the Nepalese community. Regular liaison meetings with its representatives resulted in agreed plans of action that were implemented between meetings. The Government was, for example, helping to build a community centre for the Nepalese community and had established a chamber of commerce. An attempt to form a community council had met political resistance, but the plan would be revived. A recent survey had shown that one of the main difficulties faced by the

Nepalese and other minorities from Pakistan and Bangladesh was their inability to communicate in either Cantonese or English, the two main languages in Hong Kong. The Hong Kong Government's language policy in general was to make all children trilingual - able to speak Cantonese, English and Mandarin, the language of the nation - and bi-literate - able to read and write English and Chinese. The Government was devising a professional, progressive and flexible programme of language teaching for new non-Chinese arrivals, appropriate to the field in which the learner would be working.

23. Regarding medical services and education, which were governed by the Hong Kong Bill of Rights Ordinance, victims of racial discrimination in those public services could bring complaints and remedies would be applied. To avoid housing discrimination, the Government had publicized the relevant legislation and requirements. In the complex hotel industry, rates differed widely according to the country of origin of the traveller or season but no real racial discrimination entered into it. The Government had checked into alleged widespread discrimination practiced by bars, but had only found one such incident.

24. The Government had commissioned a statistical study in response to paragraphs 18 and 29 of the 1996 concluding observations of the Committee and had earlier provided it with the results of the study. In its previous periodic report, it had assumed it was respecting United Nations guidelines, which stated that first-language information was a permissible alternative to race data. Questions about race, however, had been included in the 2001 full census and the Government would use the results as the United Kingdom had done since it had first included race in its censuses.

25. Ms. NG (People's Republic of China), referring to Hong Kong, said that the Hong Kong Government's policy was that foreign workers had to complete their contracts, return home and apply for a new visa for any subsequent employment. It was applied flexibly, however, if there was a special need to terminate one contract and enter into another. The policy was intended to safeguard the interests of local workers, especially the semi-skilled and the unskilled: unemployment, it should be noted, had risen from 2.2 per cent in 1997 to 6.5 per cent in 1999. Application of the Government's policy took into account the nature of the employment, and race or ethnic group did not enter into consideration. The Government was mindful of the employment rights and benefits of foreign workers and the employment ordinances were required to apply to them as well, despite pressure to exclude them. There were over 220,000 foreign workers in Hong Kong, up 12 per cent in 2000 over 1999. Most came from the Philippines, a substantial number from Indonesia and the rest from the subcontinent and other parts of southeast Asia. The wages of foreign domestic helpers were the equivalent of 770 dollars per month, substantially higher than elsewhere in the region, and they were fully protected under the law, which the Government kept under constant review.

26. Mr. ABOUL-NASR, speaking on a point of order, asked for clarification of the procedure being followed. The State party, the People's Republic of China, seemed to have submitted three separate reports - for the People's Republic of China, Hong Kong and Macau - and to have come with three separate delegations. He was concerned about the precedent that might be established.

27. The CHAIRMAN explained that the Committee was working on the basis of a three-part report submitted by the State party. It had welcomed the delegation sent by the State party, and was basing itself on the list of delegates the State party had provided, which was arranged according to the parts of the report.

28. Mr. OLIVERIA (People's Republic of China) replying to questions concerning Macau, said that his delegation would endeavour to provide the Committee with an English and French translation of article 233 of the Macau Penal Code and would leave the whole compilation of legal texts with the Committee. The courts had not so far heard any cases under article 233 of the Penal Code.

29. In reply to the question regarding municipal law implementing various human rights conventions, he referred to the wealth of information supplied on the subject in Part III C of the core document (HRI/CORE/1/Add.21/Rev.2) and in paragraphs 15 to 19 of the Addendum on Macau (CERD/C/357/Add.4 (PART III)). Both the core document and the report had described a number of judicial mechanisms designed to protect fundamental rights and prevent discrimination.

30. Turning to the matter of citizenship, he explained that the main complications in Macau stemmed not from statelessness, but from dual nationality. International conventions took precedence over municipal law and so questions covered by international conventions signed by China would be dealt with in accordance with those conventions. In all other cases, Chinese nationality law would apply. For that reason, the number of Portuguese citizens quoted by the Country Rapporteur was incorrect because, under the nationality law of the People's Republic of China, which the Macau authorities were bound to observe, many of those persons were deemed to be Chinese, even though Portugal might still regard them as Portuguese nationals. On the eve of the resumption of sovereignty by the People's Republic of China, the Standing Committee of the People's National Assembly had passed a resolution granting Macau residents of Portuguese ancestry the right to choose between Chinese and Portuguese nationality.

31. As to measures to ensure compliance with article 7 of the Convention, he respectfully referred members to Part IV of the core document and paragraphs 56 to 151 and 174 to 180 of the report.

32. In reply to the query about article 25 of the Basic Law of Macau, he said that the latter had been drafted two and a half years after the Basic Law of Hong Kong and was based upon it for the sake of consistency. The drafters were, however, also bound by the principle of the continuity of the legal system and a legal rule with the same content as article 25 had been in force in Macau up until then. The principle of non-discrimination had therefore been embodied in the Basic Law of Macau.

33. Mr. SAM Chan Io (People's Republic of China) said that compensation for crimes of discrimination could be awarded under either criminal or civil procedure.

34. Mr. SHAHI said that, in view of the existence of a large minority population in China, faithful implementation of the Convention was of signal importance. Following the Chinese delegation's very precise answers to members' questions, he still had some residual concerns.

It would appear that the Bill of Rights Ordinance in Hong Kong did not give legal effect to the International Convention on the Elimination of all Forms of Racial Discrimination, although the Convention formed the cornerstone of the struggle against racial discrimination. It was therefore necessary to make the Convention part of the domestic law of Hong Kong. The delegation had stated that in China international treaties took precedence over municipal law. Did that also apply to the Convention?

35. He noted the statement that anti-discrimination obligations in Hong Kong flowed from the International Covenant on Civil and Political Rights, but it should be noted that the Convention was far more specific in terms of anti-discrimination provisions since NGOs had pinpointed the need for legislative measures to prevent racial discrimination by private individuals, it was gratifying to hear, as he understood it, that the authorities of Hong Kong would be prepared to enact legislation to outlaw discrimination by private persons as distinct from public officials.

36. It was to be hoped that due heed would be paid to maintaining the democratic balance and also the cultural identity of minorities in the event of a conflict between development and the preservation of minorities' identities. In his opinion, the development programme for the western region where many minorities lived, which was aimed at boosting the standard of living in those areas, should be regarded as affirmative action on behalf of minorities. Another positive element was a population policy which allowed families belonging to minority groups to have more children than the Han majority, thus helping to improve the demographic balance.

37. He paid tribute to China for its visionary approach to reunification, which was summed up in the formula "One country, two systems" and to the Governments of the United Kingdom and Portugal for the peaceful relinquishment of control over the territories of Hong Kong and Macau.

38. Mr. RESHETOV endorsed Mr. Shahi's comments and thanked the Chinese delegation for its reply to his question about autonomy. The implications of autonomy were of great importance for many countries. The welcome presence of representatives of Macau and Hong Kong had led to the presentation of information of great value to the Committee. The principle of one country, two systems was plainly being well implemented in practice and he trusted that none of the comments made during the meeting would be seen as casting doubt on that principle.

39. Nevertheless he disagreed with the argument that hitherto it had not been possible in Hong Kong to legislate against racial discrimination and that no such legislation was necessary in the foreseeable future. All States parties to the Convention were required to prohibit racial discrimination. What laws did exist covered only the public sector; the Convention required the banning of racial discrimination in all sectors and at all levels of society.

40. The dialogue with the Committee had no doubt made the Hong Kong administration aware of the Committee's priorities. He hoped that the delegation would heed the recommendations contained in the Committee's concluding observations and that all the provisions of the Convention would soon be implemented throughout China.

41. Mr. YUTZIS expressed concern about the vulnerability of the rural population in China. Currently development was triggering migration from the countryside to the towns, where the newcomers from the country were subjected to verbal abuse, unable to find jobs and forced to live in areas in cities where housing conditions were even worse than those in the villages they had left. In 1995 fights had even broken out between groups of incomers and long-established residents in one town. He trusted that the next report would contain information on the way China was addressing the problem in its development plans.

42. Mr. DIACONU said he welcomed the recognition by representatives of the Hong Kong local administration of the Committee's concerns about the lack of legislation to deal with racial discrimination. He had some difficulty, however, with the statement that public and private issues were dealt with differently in current legislation, because there were many areas in which public and private life interacted; for example, health, education and housing were matters of public policy but profoundly affected private individuals. Likewise, care must be taken in interpreting the need to balance different interests, since there could be no question of "seeking a balance" in dealing with values that the Convention upheld without distinction or qualification. Discrimination did indeed occur in other countries, but there was legislation available to deal with it; in the region under consideration, however, the Committee did not know what the existing law provided. It would be wrong to delay the adoption of specific legislation while awaiting changes in attitudes; indeed, experience had shown that the adoption of legislation was itself a spur to changes in outlook.

43. Ms. JANUARY-BARDILL said she shared the concern voiced by Mr. Diaconu with regard to different treatment of public and private issues. She also wondered whether, following the procedural intervention by Mr. Aboul-Nasr, some questions might have remained unanswered and, if so, whether the Chinese delegation could make replies available to the Committee later in writing.

44. Mr. de GOUTTES said that it was somewhat intimidating for a small body of experts to carry out an appraisal of so large a country with one of the world's most ancient civilizations. Nevertheless, the Committee had its task to perform. In considering China's seventh periodic report, it had voiced its concern about the apparent comparative benefits for members of the Han population in various autonomous regions and the possible risk of changing those regions' demographic composition, and it had asked whether the authorities could re-examine practices that might lead to such change. At the previous meeting Mr. Diaconu had reiterated the Committee's concern that the movement towards national unity might have an adverse effect on the rights of individual groups. A member of the Chinese delegation had referred to a forthcoming amendment to the law relating to national ethnic minorities, including measures to promote investment in autonomous regions. He would like to know in what ways, and to what extent, the legislation was intended to promote the interests of ethnic minorities.

45. Mr. THORNBERRY questioned the statement that no holders of religious beliefs were members of the Chinese Communist Party, particularly in view of that body's important role. Such a situation could have a disparate impact on some minorities, especially those in which religion was a feature of the group identity. He welcomed the comment on development in a humanist context and, while he felt sure that the Chinese authorities had carried out ample studies on the subject, he recommended reference to relevant international texts, such as

ILO Convention No. 169 and to publications by NGOs such as the Minority Rights Group. With regard to statistics, he remained at a loss as to why there were such discrepancies between government and NGO sources - for example, on figures relating to the movements of Han population groups. Regarding Mr. Aboul-Nasr's procedural intervention, he suggested that future reports could perhaps be consolidated in a single volume.

46. With reference to the report on the Hong Kong Special Administrative Region, he, too, felt that the mention of the two International Covenants was not enough; they were less extensive than the Convention and no substitute for it. He hoped that the latter could be speedily applied to cover all the territory of the People's Republic of China, but that was unlikely without leadership and a greater focus on international obligations. He resented the implication that questions of business costs might dictate the agenda on a topic as fundamental as human rights, and endorsed Mr. Diaconu's comments in that regard. It appeared that the Hong Kong Region lacked a legislative infrastructure adequate to deal with questions of racial discrimination, and he hoped that the situation would be remedied; the problem with the argument adduced was that it could be generalized beyond Hong Kong and create unacceptable barriers to the implementation of international norms.

47. Mr. SUN Ang (People's Republic of China), referring to the question by Mr. Shahi about the Convention's place in Chinese law, said that the Convention had direct legal force and would supersede domestic law in any case of conflict. The national policy relating to autonomous regions had, he felt, been clearly explained in the report and in replies to previous questions. There had been no change of demographic composition in any regions; the fifth national census currently being conducted would confirm that. As soon as the census data had been analysed they would be published, including posting on the appropriate Web site. The authorities were also prepared to put the details in China's next periodic report.

48. With regard to migrant workers, there had indeed been a great deal of population movement recently towards the cities, and the Government was developing measures to deal with the inevitable problems, which it was hoped that an expanding economy would help to resolve. The authorities would also look into whether migrant workers were being restricted to certain jobs, and would send a reply to the Committee. With regard to Mr. Thornberry's question about religion, the point was that, for Communist Party members, communism was a religion; to hold any other belief, therefore, would be inconsistent with party membership. The head of the delegation had already replied with regard to the gap between government and NGO statistics. If members of the Committee could visit China, as the Chinese Government wished, they would be able to see that the information in the periodic reports reflected reality; and if some of it was not deemed sufficiently detailed, the Committee's comments and further questions would be addressed accordingly.

49. Mr. WONG (People's Republic of China) said he noted the concern of some Committee members about unanswered questions, and assured the Committee that written answers would be provided. The consultation exercise mentioned would involve representatives not only of the business community but of ethnic minorities and NGOs, and a decision on the best way forward would be taken, probably early in 2002, on completion of the exercise.

50. Mr. VALENCIA RODRIGUEZ (Country Rapporteur) stressed the importance of the two meetings with the Chinese delegation, whose size and composition testified to the importance China attached to the Committee's work.

51. An analysis of the implementation of the Convention's provisions in China, including the Special Administrative Regions of Hong Kong and Macau, had given rise to questions and observations on a number of major topics, namely: the need for China to study the adoption of appropriate legislation to ensure full compliance with article 4 of the Convention; the all-important role that the State Ethnic Affairs Commission could play in implementing the Convention's provisions; the concept of development underlying China's efforts to promote human rights and eliminate racial discrimination; the importance of maintaining bilingual education in a country with so many different ethnic and language groups; the fostering of democracy, one of the main features of China today, together with a system to ensure suitable compliance with the Convention; the problem of internal migration; protection of the cultural and other rights of minority groups - a matter of particular importance in the autonomous regions; the need to uphold the law and ensure its consistency with the provisions of the Convention, which should be published as widely as possible throughout the country; differences between government and NGO statistics, which the Government had said it would look into with a view to providing further replies, especially with regard to the Hong Kong and Macau Special Administrative Regions.

52. The delegation's replies had referred, inter alia, to the problem of illegal immigration of persons from North Korea and elsewhere and their repatriation, dissemination of information about the Convention and the Committee's concluding observations throughout China, respect for religious freedom and activities, China's international responsibilities under the Convention and the task of reflecting that instrument in domestic legislation, and the duties and responsibilities of the State Ethnic Affairs Commission and other bodies with regard to the human rights of ethnic groups. The delegation had also commented on the broad concept of development as reflected in Chinese law, the need to maintain a family planning policy while continuing to observe flexibility with regard to minority groups and in rural areas, financial support for ethnic minority groups and the application of the Convention's provisions in the Hong Kong and Macau Special Administrative Regions.

53. He congratulated the Chinese delegation on its valuable contribution, including the reports and its replies to the Committee's questions, noting that outstanding questions and those to which the replies had been deemed inadequate should be dealt with in China's next periodic report.

54. Mr. QIAO Zonghuai (People's Republic of China) said that he and the delegation had greatly appreciated the Committee members' professionalism and the exchange of views. The delegation hoped to have satisfied the Committee with its answers. It welcomed the Committee's constructive suggestions and comments, which would be conveyed to the relevant authorities and reflected in China's next periodic report.

55. China was a united, multi-ethnic State, in which all groups maintained long-cherished traditions and would continue to do so. China, since ratifying the Convention, had taken all measures to implement its provisions, including for the protection of ethnic minorities, and they

had achieved significant success. It remained aware of the need for continuous efforts, which would require the support of the Committee and the entire international community. It intended to maintain dialogue with the Committee and hoped that its members could visit China.

56. The CHAIRMAN said that the Committee wished China success in all its efforts, including the preparations for the 2008 Olympic Games, and appreciated the informative periodic reports and the delegation's attendance. The frank and fruitful exchange of views had made a valuable contribution to the work of the Committee. The latter had yet to adopt its concluding observations at a later meeting, which members of the delegation were welcome to attend, as observers. The first copy of the adopted observations would be handed to the permanent mission for transmission to the Chinese Government.

The meeting rose at 12.55 p.m.